IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2721 OF 2003
IN
FIRST APPEAL NO.1088 OF 2005

Saraswati Narayan Kurup ...Applicant
Vs.
Champabai Kaluram Singh & Ors. ...Respondents

Shri G.S. Bhat for the Applicant.
Ms J.A. Sarkhof i/by Shri R.V.Govilkar for the Respondent Nos.1 and 2.
Shri J.J. Xavier for the Respondent No.3.

CORAM : A. S. OKA, J.
DATE : JULY 21, 2006.

P.C.:

1. There is already an ad-interim order passed which is operating till today. In my view, the impugned judgment and decree deserves to be stayed except clause No.4 of the operative part of the decree. So far as suit lane is concerned, parties will have to maintain status-quo as of today.

2. Civil Application is disposed of by passing following order:

(i) The execution of the impugned judgment and decree save and except clause No.4 of the operative part of the decree will remain stayed till the final disposal of the Appeal.

(ii) Till the final disposal of the Appeal, the parties will maintain status-quo as of today in respect of the suit lane which is referred to in clause No.4 of the operative part of the decree.

(iii) Order of stay will not prevent the Municipal Corporation from taking action in accordance with law after following principles of justice.

JUDGE